

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ALBERT ELDER #178185,

Petitioner,

v.

MARY BERGHUIS,

Respondent.

Case No. 1:05-cv-780

HONORABLE PAUL L. MALONEY

Magistrate Judge Ellen S. Carmody

JUDGMENT

Judgment is entered in favor of the respondent and against the petitioner.

The petition for a writ of habeas corpus is DISMISSED.

The court GRANTS a certificate of appealability as to the petitioner's *Batson* claim.

The court DENIES a certificate of appealability as to all other claims and issues.

IT IS SO ORDERED this 21st day of July, 2009.

/s/ Paul L. Maloney
Honorable Paul L. Maloney
Chief United States District Judge